

Workshop by Washington Department of Ecology; December 13, 2011; Lacey, WA  
Surface Water Quality Standards Rule-making: Implementation Tools Revisions

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Water Quality Program rulemaking activities, including workshop information, are available at the Surface Water Quality Standards rule revisions web page  
[www.ecy.wa.gov/programs/wq/swqs/RuleRev2011.html](http://www.ecy.wa.gov/programs/wq/swqs/RuleRev2011.html)

All the materials from the December 13 meeting are posted there.

Key points of the workshop presentations:

1. Relationship between surface water quality standards and toxic clean-up standards.
  - Revised Fish Consumption Rate in the Sediment Management Standards is being developed first, with rule-making by the fall of 2012
  - Water quality implementation tools are now initiated, with development of rule language in the spring of 2012. Not sure they will be able to obtain EPA approval in 2012.
  - Human Health Criteria rule-making to follow beginning fall 2012.
2. Ecology is looking at implementation tools that can include incremental compliance schedules that may take longer than 10 years to implement fully. (See Niemi presentation materials)
  - Variances
  - Compliance schedules
3. EPA (Jannine Jennings) indicated that proposed changes to water quality standards in WA must “think inside the box.” The Clean Water Act does not allow a great deal of flexibility. Oregon looked at additional implementation tools, but didn’t really find any additional options. Incremental steps may be possible from EPA’s perspective, but the state must demonstrate how these will achieve levels for designated uses of water. Performance-based criteria must be clear, predictable and transparent, as well as binding and regulatory. Cannot be just guidance.